

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAMON JONES, *on behalf of himself and all  
others similarly situated,*

Plaintiff,

-against-

LENNYS SHOE & APPAREL, INC.,

Defendant.

USDC SDNY  
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DATE FILED: 1/10/2024

1:23-cv-07969-MKV

**ORDER OF DISMISSAL**

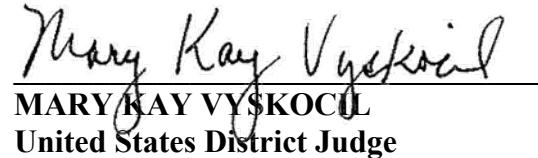
MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter filed by Defendant informing the Court that the parties have reached a settlement in principle. [ECF No. 14]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by February 9, 2024. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004). Any request for extension must be made by letter filed on ECF at least 48 hours before the deadline.

IT IS FURTHER ORDERED that the Initial Pretrial Conference scheduled for January 19, 2024 at 3:00 PM is ADJOURNED *sine die*.

**SO ORDERED.**

Date: January 10, 2024  
New York, NY

  
MARY KAY VYSKOCIL  
United States District Judge